



Appeal Decision

Site visit made on 18 November 2025

by B Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2025

Appeal Ref: APP/Q1770/W/25/3370136

Lockhams Recycling, Botley Road, Shedfield, SOUTHAMPTON SO32 2HN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Lockhams Recycling Ltd against the decision of Hampshire County Council.
 - The application Ref is 24/00807/HCS.
 - The development proposed is described as “Retrospective planning application for the change of use to open storage of recycled aggregate materials; the retention of ancillary office, workshop and hardstanding; and associated works”.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed development is already taking place. The proposed plans show storage areas, hardstanding, parking and the location of a site office and workshop. These plans indicate the location of key components of the proposed use which accord, in general terms, with my own observations on site. As such, I shall consider the proposal under the provisions of Section 73A of the 1990 Town and Country Planning Act as a use that is already operational.
3. The Lockham's Recycling business consists of two adjacent sites. The first is an established use, following the granting of a Certificate of Existing Lawful Use or Development in 2015 for waste recycling. During my visit I noted this use principally consists of the storage of a range of building materials formed into relatively tall piles. The adjacent site, being the appeal site, was found to be in use in a similar manner as the adjacent lawful site with no clearly defined separation between the plots. It is understood that the appeal site is required to provide additional areas for materials to be stored, to provide for the more efficient use of the adjoining lawful site.
4. The site's surroundings are subject to active enforcement investigations and action, summarised by the Council's Statement at appendix F and the appellant's Statement at Appendix E. These appear to provide a generally consistent enforcement context. Of significance is the status of the 'Two Brothers – Concrete and Pumping' business, to the immediate north of the site. This is a separate commercial activity to the appellant's business, consisting of stacked building materials, a site office, site enclosure and other materials and development and subject to an Enforcement Notice concerning the change of use to B8 storage, with an appeal pending.

5. Beyond the 'Two Brothers' site, to the further west, a number of plots are also being used for commercial purposes. The site to the immediate west is used for open storage, whilst other nearby commercial sites, used for storage and other activities, are subject to enforcement action. These are marked as plots 9, 10 and 11 on the appellant's plan and have enforcement appeals pending. Furthermore, plots 13, 14 and 12, also on the appellant's plan, are subject to upheld Enforcement Notices and are awaiting compliance. These plots are generally to the west of the site, close to the boundary with the solar farm.
6. Furthermore, the appellant submitted, as late evidence, the temporary approval (for 40 years) of a solar farm at Land at Tichfield Lane. This included the provision of solar panels within fields to the west of the site, in five parcels of land around an existing solar farm. This decision was made recently and is an important material consideration that I shall take into account in this appeal.
7. In summary, the site's surroundings are subject to a range of both operational development and material changes of use that do not benefit from the requisite planning permission; most of which are subject to active Enforcement Notices. Based on the uncertainty this creates for a landscape baseline I have considered the proposal on the basis that many local activities may be temporary and areas of the surrounding landscape, in various commercial uses, could revert back to an open countryside setting following the conclusion of the Council's various active enforcement actions. I have therefore afforded limited weight to the existing commercial context of the site for those effected sites.
8. The Hampshire Minerals and Waste Plan [2013](MWP) is subject to review and a partial update. The emerging Hampshire Minerals and Waste Plan (EMWP) has recently been submitted to the Secretary of State for review. Nonetheless, due to its early stage in the adoption process, I have afforded limited weight to the policies of the EMWP.

Main Issues

9. The main issues are:
 - Whether the proposed development would be located within a suitable location with respect to local policy, and
 - The effect of the proposal on the character and appearance of the area.

Reasons

Locational matters

10. The MWP forms a waste and minerals strategy for the county. Policy 29, of the MWP, with respect to the location of waste management development, supports the recycling, recovery and/or treatment of waste in; i) certain urban areas, ii) along strategic road corridors and iii) areas of major new or planned development, none of which apply in this proposal. The policy also supports, at 3) development in other locations where a site has a) good transport connections and b) has a special need for the location where its suitability can be justified.
11. Furthermore, MWP policy 5 seeks to ensure the protection of the countryside and states that minerals and waste development in the open countryside will not be permitted unless it is a) time-limited or b) related to countryside activities, meets

local needs or requires a countryside or isolated location or c) provides a suitable reuse of previously developed land. Limbs a) and c) are not complied with and therefore the scheme would need to comply with b).

12. The development plan for the district includes the Winchester Local Plan – Part One, Joint Core Strategy [2013] (CS). Policy MTRA4, of the CS, amongst several criteria, states that the Council will only permit development in the countryside that has an operational need for a countryside location, such as for agriculture, horticulture or forestry. Also, policy DM10 of the Winchester City Council Local Plan – Part 2 [2017](LP), with respect to essential facilities in the countryside, states that development may be exceptionally permitted where there is an identified need in the area, the location is necessary for operational reasons, there are no suitable alternative sites within built up areas, and it would have minimal landscape and traffic impacts.
13. The National Planning Policy for Waste identifies, at paragraph 5, the assessment method for the suitability of sites for new or enhanced waste management facilities and Appendix A and B identify the Waste Hierarchy and Locational Criteria. Taking the above various policies into account, I find that the key questions that require consideration are whether the proposal can demonstrate it has good transport connections and has a special need for the proposed location within the countryside.

Transport connections

14. The appeal site is located to the rear of the equestrian centre, which is alongside the A334, and accessed via a private accessway. It is therefore outside the Strategic Road Corridor, being a short distance to the southwest of the A334. Nonetheless, from the A344, construction vehicles have good access to the M27, A27 and M3. The appeal site is well located to major urban areas of Southampton and Portsmouth, as well as providing good connections to Fareham, Whiteley, Hedge End, Portchester and Waterlooville.
15. The appeal site is therefore found to be relatively well connected to the Strategic Road Network and provides good access to the residential and business areas of the county in compliance with MWP policy 29(3a).

A demonstrable need

16. The proposal would comply with MWP policies 25 and 27 which support development that encourages sustainable waste management and reduces the amount of residual waste currently sent to landfill and provides additional capacity for non-hazardous recycling and recovery. Other support is also garnered from MWP policies 17 and 18, supporting an adequate and steady supply of aggregates and recycled and secondary aggregate production that maximises the availability of alternatives to marine-won and land-won sand and gravel extraction.
17. Moreover, the application of the Waste Hierarchy establishes the need to minimise the disposal of waste in favour of recycling and recovery of materials. The proposed development involves the recovery of building materials following demolition and would process these into a usable commodity through reprocessing. It therefore assists in the recycling of materials, intercepting material that may otherwise be disposed of resulting in no recovery. Accordingly, there is a

need in strategic planning terms for the type of facility proposed and the proposal gains support in complying with these policy requirements.

18. Concerning MWP policy 5, the appellant asserts that the existence of the facility demonstrates its need and that it would be non-sensical to locate an extension to a facility in a location remote from the existing facility.
19. However, need cannot be justified on the basis that an activity is already taking place as such a position could be taken with any unlawful operation. The proposed development operates in coordination with the existing lawful adjoining site. Material stored and sorted on the existing site is supported by the appeal site in providing additional storage space, parking and amenity facilities within the site office. Whilst there is a clear link between the operational use of both sites, I am cognisant, based on the submitted evidence, that the lawful site operated for some time without the benefit of the appeal site. This demonstrates that historically the appeal site was not required for the business to operate and therefore this alone does not demonstrate its locational need, in terms of its proximity to an existing facility, and weighs only modestly in favour of the proposal.
20. The appellant identifies that the site is well located to access a range of strategically significant housing developments, and it has supplied extensive building materials to contractors working on these sites. Furthermore, an email dated 29 August 2024 from the appellant, demonstrates the volume of material being transported (of around 26,000t) and the names of companies working with the appellant. As such, the appellant suggests that the business services a local customer base.
21. The Appellant also illustrates the movement of heavy goods vehicles (HGV) over a calendar month (December 2024). This shows that 241 HGV movements ranged between 2km and 27km from the site, with seven serviced sites being within a 10km radius of the site, demonstrating a relatively local customer base. However, evidence of one month's worth of collection and delivery activity is insufficient to show a clear and demonstrable need for the recycling facility to be located at Shedfield Equestrian Centre. This therefore only illustrates a limited local market need for the proposal.
22. Moreover, whilst an alternative facility would require material to be taken to two separate facilities there is limited evidence to suggest that this would be inefficient or unsustainable as HGV movements associated with the use are already on the local highway network. As such, based on the submitted evidence, the site context does not readily demonstrate that the proposal would be related to countryside activities or meets local needs, in terms of its proximity to a relevant waste market.

Summary

23. Accordingly, the proposed development would have good transport connections. Nonetheless, it has not been adequately demonstrated that it would meet a local need for a recycling, recovery and/or treatment of waste facility. This is when taking into consideration the need for its proximity to an existing facility and its locational need based on the proximity of its local waste market.
24. Consequently, the proposed development would be in an inappropriate location. The proposal would therefore conflict with MWP policies 5 and 29, CS policy MTRA4 and LP policy PM10. These seek, among other matters, for development

to demonstrate an identified operational and/or special need for the suitability of the site to be justified.

Character and appearance

25. Shedfield Equestrian Centre consists of a range of two-storey and single storey buildings, bisected by an access drive. The Centre consists of an equestrian riding school and manège, equestrian retail units and a wide range of small retail units, including wedding outfits, café, mobile phone repairs and pet food shop. The appeal site is adjacent to a lawful material recycling facility, accessed via the access drive, behind the frontage buildings. The site, and its piled materials and associated machinery, are partly visible from Botley Road in gaps between the frontage buildings and especially the footpath close to St Annes Lane.
26. Prior to development commencing, the evidence suggests that the site was in agricultural use. Whilst the appellant asserts that the site was hard-surfaced between 2015 and 2019, evidence has not demonstrated this clearly. Therefore, prior to its current use the appeal site would have made a positive contribution to the character and appearance of the surrounding open countryside. Nonetheless, the site is to the rear of open storage areas behind the equestrian centre and in front of the lawful recycling facility. Furthermore, the site is within a topographical depression, with woodland groups around providing further screening from medium and distant views.
27. The site is within the countryside, but it is not open to surrounding views due to local development. Landform and tree screening limit the contribution the site makes to the countryside character of the wider area. Furthermore, the approved solar farm in combination with the constructed solar farm places development to the rear of the wider site, reinforcing the mixed character of the area. Nonetheless, most buildings of the Equestrian Centre complex are located towards the front of the wider site, with built form thereby following and addressing Botley Road. As such, most of the equestrian related activity is located comparatively close to the highway. Whereas most development to the rear of the complex is either subject to various enforcement action or consists of the solar farm sites.
28. Accordingly, whilst the area surrounding the site is of mixed character it still possesses a relatively strong open and verdant character. The commercial and equestrian uses are found largely in grouped development to the east and more diffused development is therefore found to the west of the site and the lawful site. Whilst the constructed and approved solar farm has reduced the open and verdant character of the area, it is contained and low-level, having a limited effect on the wider landscape setting. Whereas the proposed use would include materials and machinery that would be evident in some wider views, principally from Botley Road, as such whilst relatively discrete in the landscape the proposed development is nevertheless obtrusive in this context.
29. The 'Two Brothers' site to the immediate north of the site is not an established use and could evolve to open countryside in future years due to active enforcement action. As such, the site and the pockets of land to the north and south create a division of the equestrian centre, and its buildings, from the more open countryside parcels to the east. Furthermore, views of the material within the site can be viewed from several points along Botley Road increasing the overall visual impact of the proposal. On this basis the proposed development would form a commercial

use in a countryside setting, resulting in an adverse effect on the countryside, albeit modest, based on the local context.

30. Landscape planting, in the form of hedging and trees, is proposed along the southeast boundary of the site. This would provide some screening from wider views to the south. However, screening in this form, and/or when considered in conjunction with further landscaping potentially secured by conditions, would be insufficient to materially mitigate the visual effect of the proposal. Furthermore, the imposition of a condition to limit the maximum height of stockpiles to 5 metres would not materially reduce the overall impact of the scheme and would require constant monitoring to ensure compliance.
31. Other conditions that might seek improved access, drainage and noise control would not address the overall effect of the proposal and would not outweigh the harm caused by the proposal. Moreover, conditions to improve the appearance of the existing site could not be imposed as this is not shown to be within the appellant's ownership.
32. The proposed landscape details show a hedge along the northwestern boundary of the existing recycling site and a hedge to the south of the Equestrian Centre paddocks. Whilst these could improve the local landscape and screen parts of the proposal, no mechanism has been offered to ensure their delivery as they are beyond the application site. In any event, it is unlikely that such planting would materially reduce the identified adverse effect of the proposal.
33. Accordingly, the proposal would fail to complement the character and appearance of the area. The proposal would conflict with policies 5, 10(d) and 13 of the MWP, CS policy CP13 and policy DM23 of the LP. These seek, among other matters, for development to be of the highest standards of design, operation and restoration, have an acceptable visual impact and enhance the distinctive character of the landscape.

Other matters

34. The appellant states that there are no adverse impacts in terms of heritage, archaeology, transport, biodiversity, design, landscaping, trees, and there would be no adverse impacts on the site or elsewhere in terms of flood risk/drainage. However, an absence of harm in these respects can only be considered as neutral factors in the planning balance.
35. MWP policy 30 supports development that maximises the recovery of construction, demolition and excavation waste that produces at least one million tonnes (mt) per year of high quality recycled/secondary aggregates. The supporting text for the policy states that it is an objective in Hampshire 'to reuse, recycle and recover as much as possible of the estimated 2.35mt of construction waste that is generated in Hampshire each year. This garners support for the proposal as it would contribute towards this objective, albeit to a modest extent.

Planning Balance and Conclusion

36. The proposed development would conflict with the County and District Council's Minerals and Waste strategies and would harm the character and appearance of the area, resulting in conflict with the development plan.

37. The National Planning Policy Framework identifies that for sites to meet the business needs in rural areas development may have to be found adjacent to, or beyond, existing settlements. However, whilst the proposal complies with many waste-related policies in the development plan, this does not outweigh the conflict I have found with the relevant policies and subsequently the proposal conflicts with the development plan when taken as a whole.

B Plenty

INSPECTOR